

IN THE UNITED STATES COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

SHARON SCOTT, individually and on  
behalf of others similarly situated  
Plaintiff

v.

VERYABLE, INC., and MEDLINE  
INDUSTRIES, INC.  
Defendants

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CIVIL ACTION NO.

3:19-cv-00472-N

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANT  
VERYABLE, INC. WITHOUT PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff Sharon Scott hereby files this voluntary notice of dismissal to dismiss Defendant Veryable, Inc. from this action. A plaintiff may dismiss an action against a party without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. *See* Fed. R. Civ. P. 41(a)(1)(A)(i). A dismissal by notice is self-effectuating. This notice of dismissal is made before Veryable, Inc. has served either an answer or a motion for summary judgment. This notice of dismissal is without prejudice to refiling. This notice does not affect Defendant Medline Industries, Inc.

Respectfully submitted,

/s/ Barry S. Hersh

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Barry S. Hersh  
State Bar No. 24001114

*Board Certified in Labor and Employment Law  
Texas Board of Legal Specialization*

Hersh Law Firm, PC  
3626 N. Hall St., Suite 800

Dallas, TX 75219-5133  
Tel. (214) 303-1022  
Fax (214) 550-8170  
[barry@hersh-law.com](mailto:barry@hersh-law.com)

ATTORNEY FOR PLAINTIFF AND OPT INS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served below to all counsel of record via the Northern District of Texas's ECF electronic service system on this the 16<sup>th</sup> day of April, 2019.

/s/ Barry S. Hersh

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Barry S. Hersh